

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JONAS ROBERTS,	)	
	)	Civil Action No. 10 - 735
Plaintiff,	)	
	)	District Judge Nora Barry Fisher
v.	)	
	)	
C/O HASSACK,	)	
	)	
Defendant.	)	

**MEMORANDUM ORDER**

The above captioned case was initiated by the filing of a Motion to Proceed *In Forma Pauperis* (ECF No. 1) on November 8, 2010, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

On November 29, 2010, the magistrate judge filed a Report and Recommendation recommending that the Defendant's Amended Motion to Dismiss be granted (ECF No. 18). The Report and Recommendation was mailed to Plaintiff at his address of record and he was advised he had until December 16, 2010 to file written objections to the Report and Recommendation. No objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 28<sup>th</sup> day of December, 2010;

**IT IS HEREBY ORDERED** that Defendant's Amended Motion to Dismiss (ECF No. 14) is **GRANTED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation dated November 29, 2010 (ECF. No. 18) , is **ADOPTED** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Clerk of Court mark this case **CLOSED**.

**AND IT IS FURTHER ORDERED** that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:



Nora Barry Fischer

United States District Judge

cc: Jonas Roberts JA - 4708  
S.C.I. Fayette  
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